
Example

Principle Three

Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective Individualized Education Programs for eligible students.

State Data Tables:

G – Disabling Conditions
H – Exiting Information
I – Placement by Age
J – Placement by Disabling Condition
L – Complaints
M – Hearings
N – Monitoring

Suggested District Data Points to Consider:

1. Teacher file reviews
 - Prior notice
 - Telephone log
 - Evaluation report
2. Exit and re-entry into special education
3. Number of placement committee overrides
4. Surveys
5. General curriculum information
6. Comprehensive plan
7. Initial referral log
8. Needs assessment information
9. Personnel training
10. Budget information
11. List of tests currently used in the district (date of publication)
12. List of out of district testing services used by the district
13. List of languages represented in the district (includes sign language and Braille)
14. List of interpreters/signers used in the district
15. Personnel with designated certification

Data Sources Used:

State tables G,H,I,J
Teacher file reviews
Surveys
Comprehensive plan
Parent Teacher report forms
Initial referral

WRITTEN NOTICE AND CONSENT FOR EVALUATION

1. Informed parental consent is obtained before conducting any evaluation affecting eligibility status (initial and re-evaluations).

Data Statement:

In 12 of 12 initial evaluations documentation of informed parental consent was available.

Parental consent for re-evaluation was obtained in 1 of 3 student files reviewed.

All tests listed on the prior notice/consent were administered in 15 of 15 files reviewed.

2. For re-evaluation, the district/agency makes reasonable attempts to obtain the parents' consent. It proceeds with conducting the reevaluation if the parent fails to respond to the request for consent. The district/agency documents its efforts to obtain consent.

Data Statement:

In 2 of 5 student files reviewed the parent failed to respond to consent for re-evaluation.

Of the failed consent files, the district/agency made 3 attempts to obtain parental consent for re-evaluation.

3. If the parent denies consent, the district/agency may request mediation or a due process hearing.

Data Statement:

In 0 of 0 files reviewed where parent denies consent, the district requested mediation or a due process hearing.

4. The district/agency provides the parent written notice five days prior to the district/agency proposing or refusing to initiate or change the child's identification or evaluation.

Data Statement:

In 15 of 15 files reviewed the district provided the parents written notice five days prior to proposing or refusing to initiate or change the child's identification or evaluation.

5. The school district/agency adheres to written notice requirements:
 - Notice includes description of action proposed/refused by the district/agency, explanation of why the district/agency proposes or refuses to take the action and a description of any other options the district/agency considered and the reasons why those options were rejected.

- Notice includes a description of any other factors which are relevant to the district/agency's proposal or refusal.
- Notice includes a statement that the parents of a child with a disability have protection under the procedural safeguards of this article and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained.
- Notice includes sources for parents to contact to obtain assistance in understanding their rights.
- Notice is written in the parents' native language or other mode of communication used by the parent.

Data Statement:

The prior notice document used by the district contains all required content.

Conclusions:

Does the school district/agency provide appropriate written notice and obtain informed consent before assessments are administered to a child as part of an evaluation or reevaluation? (ARSD 24:05:25)

Based on:

Promising Practice:

Meets Requirements: *Based on files and surveys reviewed, appropriate written notice and obtained informed consent before assessments were administered as part of an evaluation or reevaluation.*

Needs Improvement:

Out of Compliance:

EVALUATION

1. The school district/agency uses an evaluation team to make decisions regarding evaluation, assessment, and eligibility.

Data Statement:

The district evaluation team is comprised of 2 or more of the following: special educator, speech clinician, preschool teacher, general educator, administrator, and school psychologist.

2. For a first time evaluation, the evaluation team decides on a case-by-case basis what additional data, if any, is needed to determine:

- Whether the child has a particular category of disability;
- The present levels of performance and the educational needs of the child;
- Whether the child needs special education and related services; and
- If additional assessments are not required, the school district/agency provides written notice to the parent of that decision and the reason for the decision.
- The school district/agency informs the parents of his or her rights to request assessments when necessary to determine eligibility.

Data Statement:

In 4 of 5 initial evaluations, sufficient evaluation data was available to determine eligibility.

In 2 of 5 initial evaluations functional assessment was available to determine present levels of performance.

3. The district/agency provides the parent with the opportunity to provide input into the evaluation process.

Data Statement:

In 9 of 12 files reviewed, parent input into the evaluation process was acquired through: Parent report form Parent/Teacher conference

4. The school district/agency conducts a full individualized initial evaluation and it is completed within 25 school days after receipt by the district/agency of signed parent consent to evaluate unless other timelines are agreed upon by the school administration and the parents before the provisions of special education and related services.

Data Statement:

Evaluations were completed within 25 school days after receipt of signed consent in 12 of 12 files reviewed.

In 5 of 5 initial evaluations, comprehensive evaluations were conducted before the provision of services.

28 of 30 teachers indicated student assessment information was reflective of student progress and is valid and meaningful for planning student instruction.

5. Tests and other materials are selected and administered so as not to be discriminatory on a racial or cultural basis.

Data Statement:

The district's comprehensive plan addresses the assessment of a child with limited English proficiency.

6. Tests and other materials must be provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so. Attempts to provide a qualified examiner in the child's native language are clearly documented (interpreter, LEP).

Data Statement:

All tests have been administered in each child's native language.

7. Standardized tests have been validated for the specific purpose for which they are being used.

Data Statement:

A review of the tests administered by the district show that all are adequately standardized and valid.

8. Standardized tests are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the tests.

Data Statement:

All tests are administered by qualified individuals per the requirements established by the test producers.

9. Tests and other materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

Data Statement:

Achievements tests are administered at every initial and reevaluation to identify areas of educational need, except speech only students under the age of 8 or an articulation only.

10. Tests are selected and administered to best ensure that if a child has impaired sensory, manual, or speaking skills, the test results accurately reflect what the test purports to measure and not the impairments.

Data Statement:

Tests administered to students ensure an accurate reflection of what the test purports to measure.

11. No single procedure may be used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for a child.

Data Statement:

In 15 of 15 files reviewed, more than one evaluation was given to each student.

12. A variety of assessment tools and strategies are used to gather relevant functional and developmental information including how the child will be involved in and progress in the general education curriculum.

Data Statement:

Functional evaluation data was available in all areas of suspected disability in 5 of 15 student files reviewed.

Specific functional assessment skills were summarized into a written report in 5 of 15 files reviewed.

13. The school district/agency assesses the child in all areas related to the suspected disability, including:

- If necessary, the school assesses functional vocational skills, (English proficiency, reading and writing skills for children who are blind or visually impaired) and communication needs for children who are deaf or hard of hearing.
- If appropriate, assistive technology needs are assessed, including a functional evaluation in the individual's customary environment.

Data Statement:

All areas of suspected disability were evaluated in 15 of 15 student files reviewed.

Transition evaluations were conducted for 2 of 6 students prior to their turning age 16.

14. The evaluation must be sufficiently comprehensive to identify all of the child's special education and related service needs, whether or not commonly linked to the disability category in which the child may be classified.

Data Statement:

In 10 of 15 files reviewed, the child was assessed in all areas identified on the prior notice.

15. Materials used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability rather than measuring English language skills.

Data Statement:

The district does not have any children with limited English proficiency.

The comprehensive plan provides procedures to implement in the event the district receives a child of LEP.

16. If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions is included in the eligibility report.

Data Statement:

A statement regarding testing conditions was included in a review 0 of 15 evaluation reports used to determine eligibility.

17. The district/agency has policies that ensure short term evaluation programs have interim IEPs, has obtained written parental consent before an eligible child is placed, describes the services/evaluations to be provided, and conducts an IEP meeting at the end of evaluation period to finalize education program.

Data Statement:

The district/agency has no students that have been on interim IEPs.

18. *General education teachers are involved in the process to determine all areas of suspected disability so that appropriate assessments can be selected.*

Data Statement: The district involves general education teachers in determining appropriate assessments can be selected in all areas of suspected disability.

19. *The school district/agency utilizes internal resources and/or contacts with community agencies to assist them in the evaluation of limited English proficient (LEP) children and communication with parents in their preferred language.*

Data Statement: The district utilizes internal and community agencies to assist them in the evaluation of limited English proficient children and communication with parents in the preferred language.

Conclusions:

Does the district/agency ensure the evaluation or reevaluation procedures and instruments meet the minimum requirements? (ARSD24:05:25)

Based on:

Promising Practice:

Meets Requirements:

Needs Improvement: *Based on review of files the district needs to improve parental input into evaluation process.*

Out of Compliance: *Based on review of files the district is out of compliance in the areas of functional assessment and transitional assessment. Children were not assessed in all areas of suspected disability.*

ELIGIBILITY DETERMINATION

1. The school district/agency identifies students with disabilities through appropriate evaluation and has students that have identified disabilities which adversely affects their educational performance, and because of that disability, need special education or special education and related services.

Data Statement:

The district/agency has an ongoing child find process.

The district/agency has a TAT team with 5 of 5 students being referred for special education assessments.

Of 5 students that are referred for special education services, 3 are eligible and receive services.

2. A copy of the evaluation report and documentation of determination of eligibility is given to the parent.

Data Statement:

Copies of the evaluation reports are sent to parents with the prior notice for the IEP meeting or given to them at the IEP meeting.

92% of parents surveyed indicated they receive copies of test results.

75% of parents indicated that test results have been explained so they understood.

In 2 of 5 student files, functional assessment data is summarized in a report format and given to parents.

3. Children are not identified as being a child with a disability if the reason for such a decision is lack of instruction in reading or math or limited English proficiency.

Data Statement:

The IEP team considers lack of instruction and LEP when determining eligibility.

The % of PK-12 students with disabilities compared to the state average is as follows:

<u>District</u>	<u>State</u>
2002 - 7.2%	12.9%
2003 - 7.6%	13.2%
2004 - 9.0%.	13.6%

4. The school district/agency gives the parent the criteria for an independent educational evaluation (IEE), including the following information:
 - the location for the evaluation;
 - the required qualifications of the examiners;
 - the eligibility requirements for the specific disability categories;

- the maximum allowable charges for specified assessment to eliminate unreasonably excessive fees, including travel costs for necessary services not available in the community; and
- list of qualified examiners, upon request.

Data Statement:

The district comprehensive plan states the procedures the district will implement should a parent request an IEE.

0 students had a parental requested for an IEE.

5. When an IEE is requested by a parent, the district/agency does one of the following:
 - ensure an IEE is provided at public expense if the criteria for publicly funded IEE is met; or
 - request a due process hearing to show its evaluation is appropriate.

Data Statement:

The district has not had a request for an IEE.

6. The results of an IEE are considered by the IEP team in any decision with respect to the provision of FAPE.

Data Statement:

The district has not had a request for an IEE.

7. The report documenting a learning disability includes:
 - whether the child has a specific learning disability;
 - the basis for making the determination;
 - the relevant behavior noted during the observation of the child;
 - the relationship of that behavior to the child's academic functioning;
 - the educationally relevant medical findings, if any;
 - whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; and
 - the determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

Data Statement:

An MDT report was available in the files of 12 of 12 students with learning disabilities.

Conclusion:

Does the school district/agency ensure the proper identification of students with disabilities through the evaluation process? (ARSD 24:05:25, ARSD 24:05:30:03)

Based on:

Promising Practice:

Meets Requirements: *Based on review of files and interviews the district meets requirements in documenting whether a child has a learning disability.*

Needs Improvement: *Based on the review of files and interviews the district needs improvement in explaining test results to parents so they understand.*

Out of Compliance:

REEVALUATION AND CONTINUING ELIGIBILITY

1. A reevaluation is completed:

- At least once every 3 years;
- If the parent or the child's teacher requests a reevaluation; and
- If the conditions warrant.

Data Statement:

Reevaluations were conducted at least every 3 years in 4 of 4 student files reviewed.

2. Before reassessing, the evaluation team determines the nature and extent of the child's evaluation needs by reviewing existing data. On the basis of that review, and input from the child's parents, the IEP team identifies what additional evaluation data, if any, are needed to determine:

- whether the child continues to have a particular category of disability;
- the present levels of educational performance and educational needs of the child;
- whether, due to the disability, the child continues to need special education or special education and related services; and
- whether any additions or modifications to the special education or special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP, and to participate as appropriate in the general curriculum.

Data Statement:

The district uses an informal process and team to review existing data before reassessing.

Prior notice/consent was acquired before evaluations were administered in 7 of 7 student files reviewed. (This includes consent for transition evaluation)

Parent input into the re-evaluation process was documented in 7 of 7 files reviewed.

92% of parents surveyed indicated the test results have been used to help plan the child's IEP.

3. If no additional evaluation information is needed, the district/agency provides written notice to the parent of their right to request additional assessments to determine if the child continues to have a disability.

Data Statement:

District comprehensive plan procedures meet the requirements of prior notice for notifying parents if no additional evaluation data is needed.

Due the South Dakota eligibility criteria, district policy is to evaluate achievement to determine if a child continues to have a disability.

4. In the case of a child being dismissed from special education, the evaluation team utilizes reevaluation procedures to determine what additional data is needed in order to determine if the child is no longer a child with a disability, and no longer requires special education or special education and related services.

Data Statement:

In a review of 1 of 2 student files, evaluation procedures were implemented prior to dismissal from a service provided.

Conclusions:

Does the school district/agency ensure reevaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continuing eligibility? (ARSD 24:05:25)

Based on:

Promising Practice:

Meets Requirements: *Based on the review of student files and parent surveys the district ensures revaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continuing eligibility. The district goes beyond the required procedures with the informal process and team in reviewing existing data before*

Needs Improvement:

Out of Compliance: